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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/395,184 09/14/99 UENO

S 0057-2511-2Y

022850 MMC2/0913  
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EXAMINER

LOKE, S

ART UNIT

PAPER NUMBER

2811

DATE MAILED:

09/13/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Office Action Summary**

Application No.

09/395,184

Applicant(s)

UENO ET AL.

Examiner

Steven Loke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 6-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Applicant's election with traverse of claims 3 and 6-12 in Paper Nos. 6 and 9 is acknowledged. The traversal is on the ground(s) that the examiner should examine the entire application if the search and examination of the entire application can be made without serious burden. This is not found persuasive because the examiner has to search more than one class and subclass for the entire application. It is a serious burden to the examiner since the examiner has very limited time to examine an application.

The requirement is still deemed proper and is therefore made FINAL.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Taguchi.

In regards to claim 1, Taguchi shows all the elements of the claimed invention in fig. 3. It comprises: a semiconductor substrate [11]; an element isolation film [24 and the insulating film formed on the top surface of the substrate] formed such as to have a predetermined depth from a main surface of the semiconductor substrate, said element isolation film dividing the area from the main surface to said depth into a plurality of first regions [72 and the upper portions of region [73]]; first wells [72 and the upper portions

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of region [73]] formed in the first regions, respectively; and a second well [12a and the lower portion of the region [73]] formed in a second region deeper than said first wells [72] in said semiconductor substrate, said second well being in contact with some of the first wells.

In regards to claim 2, Taguchi shows said first and second wells of said first and second regions on one side with reference to a predetermined boundary are of a first conductivity type (n-type), and said first and second wells on the other side are of a second conductivity type (p-type).

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hall.

In regards to claim 1, Hall shows all the elements of the claimed invention in fig. 5a. It comprises: a semiconductor substrate [11, 14, 14']; an element isolation film [12, 17] formed such as to have a predetermined depth from a main surface of the semiconductor substrate, said element isolation film dividing the area from the main surface to said depth into a plurality of first regions [14, 14']; first wells [14, 14'] formed in the first regions, respectively; and a second well [18] formed in a second region deeper than said first wells [14, 14'] in said semiconductor substrate, said second well being in contact with some of the first wells [14, 14'].

In regards to claim 4, Hall shows the second well [18] is formed on only one side of said second region with reference to a predetermined boundary.

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Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

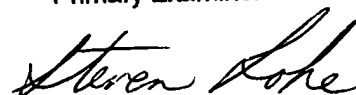
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Loke whose telephone number is (703) 308-4920. The examiner can normally be reached on 7:45 am to 5:15 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (703) 308-2772. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

sl  
September 7, 2001

Steven Loke  
Primary Examiner

A handwritten signature in black ink that reads "Steven Loke". The signature is written in a cursive, flowing style.